



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,945	11/28/2001	Karl E. Freter	7753-83609	2884
24628	7590	11/15/2005	EXAMINER	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			PHILPOTT, JUSTIN M	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. **09/995,945**Applicant(s) **FRETER ET AL.**Examiner **Justin M. Philpott**Art Unit **2665**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: elements identified as RN 24, MSC 26, PSTN 28, MSC 30, RN 32 and DB 44. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-25 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for "notifying a wireless base station" (e.g., see specification, page 3, lines

Art Unit: 2665

9-10; and page 7, lines 10-11) does not reasonably provide enablement for “a wireless interface controller” as recited in claims 1-25. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims. See MPEP 707.07(d). Specifically, applicant’s claimed element of a “wireless interface controller” is broader than the teachings recited in applicant’s specification, wherein the specification refers only to a “wireless base station”. That is, it is Examiner’s position that “interface controller” is broader than “base station”, and accordingly, claims 1-25, reciting “interface controller”, are not enabled by the specification which instead recites “base station”.

4. Additionally, claims 22-25 are further rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for “analyzer” and “communications processor” (e.g., at paragraphs 0024 and 0018, respectively), does not reasonably provide enablement for “a routing processor” as recited in line 4 of claim 22, or a “file analyzer” as recited in line 7 of claim 22. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims. See MPEP 707.07(d). Applicant may overcome this rejection by amending claim 22 to recite “~~a routing processor adapted to detect~~ detecting an indicia” (at line 4) and “~~a file an~~ analyzer” (at line 7), or alternatively, indicate a passage in the specification which would enable the present claim language. Claims 23-25 are rejected for their dependence upon rejected claim 22.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2665

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, independent claims 1, 13 and 22 recite the limitation “the attribute of the data block” (claim 1, lines 10-11; claim 13, line 11; claim 22, line 11). There is insufficient antecedent basis for this limitation in the claims. Specifically, there is no previous mention of a data block in the claims, and further, the attribute introduced in the claims is an “attribute of the indicia” and not an attribute of a data block. Applicant may overcome this rejection by amending the claims to recite “the attribute of the ~~data block~~ indicia”.

Further, in claims 1, 13 and 22, “the wireless data device” (line 10) should be changed to “the mobile data device” which is introduced in line 3; and “the predetermined file criteria” (line 12) should be changed to “the predetermined criteria” which is introduced in line 8. Without such changes there is insufficient antecedent basis for the limitation in the claims.

Claims 2-12, 14-21 and 23-25 suffer from the same deficiencies as claims 1, 13 and 22, respectively, due to their dependence upon claims 1, 13 and 22.

Further, in claims 5 and 11, “the packet data service network” (line 4) should be changed to “the packet data service node system” which is introduced in line 2 of claim 1.

Further, in claim 20, “the packet data service network” (line 3) should be changed to “the packet data service node system” which is introduced in line 2 of claim 13.

Further, in claims 23 and 25, “the packet data service network” (line 4 and lines 3-4, respectively) should be changed to “the packet data service node system” which is introduced in line 2 of claim 22.

Additionally, dependent claims 6, 11, 12, 20, 21 and 25 also recite the limitation “the data block”, which lacks antecedent basis for the same reason as discussed above with respect to independent claims 1, 13 and 22. Applicant may overcome this rejections by changing “the data block” to “~~the~~ a data block” in each of claims 6, 11, 12, 20, 21 and 25.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 4-7, 11-16, 20-23 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0196743 A1 by Thalanany et al.

Regarding claim 1, Thalanany teaches a method of reducing delivery time latency of data transferred between a packet data service node system and a mobile data device, such method comprising the steps of: detecting (e.g., see paragraph 0014 regarding monitoring by PCF 106) an indicia of bandwidth (e.g., size of data, see paragraph 0014 regarding status of buffer 116) for transferring information from the packet data service node system (e.g., PDSN 110, see FIG. 1) to the mobile data device (e.g., MS 100); comparing an attribute of the indicia (e.g., number of

Art Unit: 2665

packets in the buffer 116, see paragraph 0014) with a predetermined criteria (e.g., pre-defined threshold, see paragraph 0014); and notifying (e.g., by PCF 106) a wireless interface controller (e.g., inherently within RAN 104 for coupling to PDSN 110 on link 108 and MS 100 on link 102, see also paragraph 0012 regarding other devices in RAN 104) servicing the wireless data device (e.g., MS 100) when the attribute of the indicia or of a data block exceeds the predetermined file criteria (e.g., see paragraph 0014 regarding instructing to stop transferring packets to PCF 106).

Regarding claim 4, Thalanany teaches detecting a size of a data block to be transferred to the mobile data device (e.g., see paragraph 0014 regarding size of data stored corresponding to status of buffer 116).

Regarding claim 5, Thalanany teaches sending a notification message from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0019 regarding signaling messages between PDSN 110 and PCF 106).

Regarding claim 6, Thalanany teaches the notification is appended to a data block (e.g., see paragraph 0019 regarding packet communications comprising an extension to the signaling messages), inherently within the header of the packet (e.g., see paragraph 0015 regarding header and payload configurations).

Regarding claim 7, Thalanany teaches composing a packet message of the notification (e.g., see paragraph 0019 regarding packet communications comprising an extension to the signaling messages).

Regarding claim 11, Thalanany teaches transferring a data block from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0012 regarding data packets received within RAN 104).

Regarding claim 12, Thalanany teaches allocating a portion of a bandwidth of a wireless interface between the wireless interface controller (e.g., inherently within RAN 104) and mobile device (e.g., MS 100) for transfer of the data block (e.g., see paragraphs 0004 and 0010 regarding bandwidth of the wireless interface from RAN 104 to MS 100 via wireless interface 102).

Regarding claim 13, Thalanany teaches an apparatus for reducing delivery time latency of data transferred between a packet data service node system and a mobile data device, such apparatus comprising: means for detecting (e.g., see paragraph 0014 regarding monitoring by PCF 106) an indicia of bandwidth (e.g., size of data, see paragraph 0014 regarding status of buffer 116) for transferring information from the packet data service node system (e.g., PDSN 110, see FIG. 1) to the mobile data device (e.g., MS 100); means for comparing an attribute of the indicia (e.g., number of packets in the buffer 116, see paragraph 0014) with a predetermined criteria (e.g., pre-defined threshold, see paragraph 0014); and means for notifying (e.g., by PCF 106) a wireless interface controller (e.g., inherently within RAN 104 for coupling to PDSN 110 on link 108 and MS 100 on link 102, see also paragraph 0012 regarding other devices in RAN 104) servicing the wireless data device (e.g., MS 100) when the attribute of the indicia or of a data block exceeds the predetermined file criteria (e.g., see paragraph 0014 regarding instructing to stop transferring packets to PCF 106).

Regarding claim 14, Thalanany teaches means for sending a notification message from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0019 regarding signaling messages between PDSN 110 and PCF 106).

Regarding claim 15, Thalanany teaches means for appending the notification to a data block (e.g., see paragraph 0019 regarding packet communications comprising an extension to the signaling messages), inherently within the header of the packet (e.g., see paragraph 0015 regarding header and payload configurations).

Regarding claim 16, Thalanany teaches means for composing a packet message of the notification (e.g., see paragraph 0019 regarding packet communications comprising an extension to the signaling messages).

Regarding claim 20, Thalanany teaches means for transferring a data block from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0012 regarding data packets received within RAN 104).

Regarding claim 21, Thalanany teaches means for allocating a portion of a bandwidth of a wireless interface between the wireless interface controller (e.g., inherently within RAN 104) and mobile device (e.g., MS 100) for transfer of the data block (e.g., see paragraphs 0004 and 0010 regarding bandwidth of the wireless interface from RAN 104 to MS 100 via wireless interface 102).

Regarding claim 22, Thalanany teaches an apparatus for reducing delivery time latency of data transferred between a packet data service node system and a mobile data device, such apparatus comprising: a routing processor adapted to detect (e.g., see paragraph 0014 regarding

Art Unit: 2665

monitoring by PCF 106) an indicia of bandwidth (e.g., size of data, see paragraph 0014 regarding status of buffer 116) for transferring information from the packet data service node system (e.g., PDSN 110, see FIG. 1) to the mobile data device (e.g., MS 100); a file analyzer (e.g., inherently within RAN 104, see paragraph 0012 regarding other devices) adapted to compare an attribute of the indicia (e.g., number of packets in the buffer 116, see paragraph 0014) with a predetermined criteria (e.g., pre-defined threshold, see paragraph 0014); and a communication processor (e.g., inherently within PCF 106) adapted to notify (e.g., by PCF 106) a wireless interface controller (e.g., inherently within RAN 104 for coupling to PDSN 110 on link 108 and MS 100 on link 102, see also paragraph 0012 regarding other devices in RAN 104) servicing the wireless data device (e.g., MS 100) when the attribute of the indicia or of a data block exceeds the predetermined file criteria (e.g., see paragraph 0014 regarding instructing to stop transferring packets to PCF 106).

Regarding claim 23, Thalanany teaches a data link (e.g., link 108) adapted to send a notification message from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0019 regarding signaling messages between PDSN 110 and PCF 106).

Regarding claim 25, Thalanany teaches a client application (e.g., via PCF 106, see paragraph 0014) adapted to transfer a data block from the packet data service network (e.g., PDSN 110) to the wireless interface controller (e.g., inherently within RAN 104) (e.g., see paragraph 0012 regarding data packets received within RAN 104).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thalanany in view of U.S. Patent No. 6,944,150 to McConnell et al. (hereafter, McConnell '150).

Regarding claims 2 and 3, Thalanany teaches the method discussed above regarding claim 1, however, may not specifically disclose detecting an access under either real time protocol (RTP) or file transfer protocol (FTP).

McConnell '150, like Thalanany, also teaches a method for PDSN communications and further, teaches detecting an access under RTP or FTP (e.g., see col. 9, lines 44-49). Additionally, the PDSN teachings of McConnell '150 provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see col. 1, line 38 – col. 5, line 58). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell '150 to the PDSN method of Thalanany, comprising detecting an access under RTP or FTP, in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is also noted that both RTP and FTP are well known protocols in the art, and it is well known in the art that applying a well known standard, or protocol, to a system provides the system with significantly improved industrial applicability. Thus, at the time of the invention it would have been obvious to one of

Art Unit: 2665

ordinary skill in the art to utilize RTP or FTP in the method of Thalanany, since it is well known in the art that applying a well known standard, or protocol, to a system provides the system with significantly improved industrial applicability.

11. Claims 8-10, 17-19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thalanany in view of U.S. Patent Application Publication No. US 2005/0232222 A1 by McConnell (hereafter, McConnell application).

Regarding claim 8, Thalanany teaches the method discussed above regarding claim 7, however, may not specifically disclose retrieving a network address of the wireless interface controller.

McConnell application, like Thalanany, also teaches a method for PDSN communications and further, teaches a header portion of packet communications within such PDSN communications conventionally comprises a network address of a wireless interface controller (e.g., see paragraph 0055 regarding the packet header comprising the network address of the sending identity), implicitly retrieved. Additionally, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN method of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary

Art Unit: 2665

skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 9, Thalanany in view of McConnell teach the method discussed above regarding claim 8 and further, McConnell also teaches addressing a packet message to a retrieved network address (e.g., see paragraph 0055 regarding the packet message comprising the network address of the received/destination entity, wherein the network address is implicitly retrieved). As discussed above, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN method of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 10, Thalanany in view of McConnell teach the method discussed above regarding claim 9 and further, McConnell also teaches appending an identifier of the mobile data device to the packet message (e.g., see paragraph 0055 regarding the packet message comprising the terminal ID of the sending entity). As discussed above, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been

Art Unit: 2665

obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN method of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 17, Thalanany teaches the apparatus discussed above regarding claim 16, however, may not specifically disclose means for retrieving a network address of the wireless interface controller.

McConnell application, like Thalanany, also teaches an apparatus for PDSN communications and further, teaches a header portion of packet communications within such PDSN communications conventionally comprises a network address of a wireless interface controller (e.g., see paragraph 0055 regarding the packet header comprising the network address of the sending identity), implicitly retrieved. Additionally, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN apparatus teachings of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been

Art Unit: 2665

further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 18, Thalanany in view of McConnell teach the apparatus discussed above regarding claim 17 and further, McConnell also teaches means for addressing a packet message to a retrieved network address (e.g., see paragraph 0055 regarding the packet message comprising the network address of the received/destination entity, wherein the network address is implicitly retrieved). As discussed above, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN apparatus teachings of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 19, Thalanany in view of McConnell teach the apparatus discussed above regarding claim 18 and further, McConnell also teaches appending an identifier of the mobile data device to the packet message (e.g., see paragraph 0055 regarding the packet message comprising the terminal ID of the sending entity). As discussed above, the teachings of McConnell application provide improvements for accommodating both data and voice traffic

Art Unit: 2665

with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN apparatus teachings of Thalanany in order to provide improvements for accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Regarding claim 24, Thalanany teaches the apparatus discussed above regarding claim 22, and further teaches a memory (e.g., buffer 116) adapted to retrieve (e.g., see paragraph 0014), however, may not specifically disclose retrieving a network address of the wireless interface controller.

McConnell application, like Thalanany, also teaches an apparatus for PDSN communications and further, teaches a header portion of packet communications within such PDSN communications conventionally comprises a network address of a wireless interface controller (e.g., see paragraph 0055 regarding the packet header comprising the network address of the sending identity), implicitly retrieved. Additionally, the teachings of McConnell application provide improvements for accommodating both data and voice traffic with enhanced services (e.g., see paragraphs 0009-0029). Thus, at the time of the inventions it would have been obvious to one of ordinary skill in the art to apply the PDSN teachings of McConnell application to the PDSN apparatus teachings of Thalanany in order to provide improvements for

Art Unit: 2665

accommodating both data and voice traffic with enhanced services. Further, it is noted that McConnell applications teaches that the particular header configuration is well known in the art of such PDSN communications (e.g., see paragraph 0055), and therefore, it would have been further obvious to one of ordinary skill in the art to implement the well known header configurations disclosed by McConnell since such teachings are well known in the art of PDSN communications.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,781,999 to Eyuboglu et al. and U.S. Patent Application Publication No. US 2003/0063591 A1 by Leung et al. each disclose methods pertaining to PDSN communications.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Philpott whose telephone number is 571.272.3162. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571.272.3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2665

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Justin M Philpott



ALPUS H. HSU
PRIMARY EXAMINER